

Applicant	Bank Atlantic	
Request	Rezoning with Allocation of Flex Units / Site Plan Approval	
Location	1750 E. Sunrise Boulevard	
Legal Description	Progresso P.B. 2 P 18	
Property Size	57,510 sq. ft. or 1.320 acres (entire site) 21,060 sq. ft. to be rezoned to CB from RMM-25 10, 530 sq. ft. to have commercial flex applied	
Zoning	B-1 & RMH-25 (proposed CB)	
Existing Land Use	Bank	
Future Land Use Designation	Commercial & Medium-High Residential	
Comprehensive Plan Consistency	Consistent	
Other Required Approvals	City Commission	
Applicable ULDR Sections	Sec 47-6 Business Zoning Districts Sec 47-20 Parking Sec 47-21 Landscape Sec. 47-24.4 Rezoning Sec 47-25.2 Adequacy Sec 47-25.3 Neighborhood Compatibility Sec 47-28 Flexibility Rules	
Setbacks/Yards	Required	Proposed
Front (n)	5'	81'
Rear (s)	15'	70'
Corner (w)	5'	59'
Corner (e)	5'	81.5'
Lot Density	N/A	N/A
Lot Size	N/A	57,510 sq. ft.
Lot Width	N/A	270'
Building Height	150' Max	34'
Structure Length	N/A	N/A
Floor Area	N/A	4,026 sq. ft.
VUA Landscaping	20%	20%
Parking	16	34
Notification Requirements	Sign, Mail Notice	
Action Required	Approve, Approve with conditions, or Deny	
Project Planner	Name and Title	Initials
	Kevin Erwin, Planner I	
Authorized By	Chris Barton, AICP, RLA, Principal Planner	
Approved By	Bruce Chatterton, AICP, Planning and Zoning Manager	

Request:

Bank Atlantic, the applicant, has a site located at 1750 E. Sunrise Blvd. The site is located in two different zoning districts. The northern portion of the site (lots 1-3 and lots 22-24) is zoned B-1, while the southern portion of the site (lots 4 and 21 and the north 28' of lots 5 and 20) are zoned RMM-25 (see diagram attached as **Exhibit 1**). This is a request to rezone the RMM-25 portion of the site to CB. In 1991, allocation of commercial flex was granted to Bank Atlantic on lots 16 through 21 of Block 232 of Progresso through City Commission Resolution 91-104 (attached as **Exhibit 2**). The applicant is now seeking allocation of commercial flex on lot 4 and the north 28' of lot 5. The allocation of commercial uses on residential land use requires a site plan to be submitted and reviewed along with the rezoning request.

Property/Project Description:

This item was previously scheduled for the May 19, 2004 Planning and Zoning Board meeting and was deferred at the applicants request, in order to allow the applicant time to meet with the neighborhood and address their concerns.

The applicant, Bank Atlantic, is proposing to demolish the existing seven story, 100,000 square foot building, and to replace it with a smaller single story bank (4,026 sq. ft.) with four drive through teller stalls. In order to permit this development the bank is seeking allocation of commercial flex on lot 4 and the north 28' of lot 5. Commercial flex has already been granted on lots 16-21 as described above. Bank Atlantic also owns the remainder of Block 232 and currently has a drive through facility on lots 16-20. The remainder of the block contains a surface parking lot. The existing drive through facility will be removed upon completion of the new bank building

Although commercial flex was previously assigned to lots 16-21, none of these lots were ever rezoned to commercial. Therefore the applicant is now seeking to rezone a portion (lot 20 and the north 28' of lot 21 or approximately 10,530 square feet) of the site to CB. The applicant is also seeking allocation of commercial flex and rezoning to CB on a portion (lot 4 and the north 28' of lot 5 or approximately 10,530 square feet) of the site. Upon granting of this request, the entire proposed development site will have commercial zoning, which will permit the development of the proposed bank. Separate sketches and legals have been submitted for each of the rezoning sites described above.

The subject site is located in Flex Zone 49 which has 57.2 acres of commercial flex remaining. This request, if granted, will utilize an additional 10,530 square feet or 0.242 acres.

The proposed building is one story and thirty-four feet (34') in height at its highest point. Gross floor area of the building will be 4,026 square feet. The building meets all setback and bufferyard requirements. Parking provided exceeds the minimum code requirements. The overall impact on adjacent neighborhoods will be reduced significantly from what exists on the site today.

Parking and Traffic:

The proposed 4,026 square foot bank building generates a parking requirement of sixteen (16) spaces. Thirty-four (34) parking spaces have been provided including two handicapped parking spaces.

An additional ten feet (10') of right-of-way is required for Sunrise Blvd and will be dedicated by the property owner.

A traffic study prepared by Tinter Associates Inc, on the applicant's behalf, has been reviewed by the City's consultant and city staff. The study finds that the new development will generate 60% less traffic than the existing development. The existing development generates 2,537 trip per day; while the new development generates only 990 trips per day. The City's consultant and City staff concur with the findings of the Tinter Associates Inc. study.

Adequacy and Neighborhood Compatibility:

The applicant has submitted a narrative outlining compliance with Adequacy and Neighborhood Compatibility, which is attached as **Exhibit 3**. Staff has reviewed the narrative for Adequacy and concurs with the applicant's assessment. The Planning and Zoning Board must determine if the proposal meets Neighborhood Compatibility.

Rezoning Criteria:

The applicant has provided a narrative (attached as **Exhibit 4**) outlining compliance with the criteria for rezoning. Staff is in agreement with the applicant's assessment.

Comprehensive Plan Consistency:

The application is consistent with the following:

- Policy 15.1: Where appropriate, create necessary buffering to protect established neighborhoods from the encroachment of commercial uses.
- Policy 19.5: Limited intensity of commercial development adjacent to residential neighborhoods through ULDR controls including height and floor area ratio limitations and buffering requirements.
- Policy 20.6: Continue to utilize intensity criteria contained in the Future Land Use Element to ensure that commercial development is compatible with adjacent residential land uses.

Prior Reviews:

This proposal was reviewed by the Development Review Committee on January 27, 2004 and all comments have been addressed.

Planning & Zoning Board Review Options:

1. If the Planning and Zoning Board determines that the application meets the criteria for rezoning and site plan approval, the recommendation shall be forwarded to the City Commission for consideration.
2. If the Planning and Zoning Board determines that the criteria for rezoning and site plan approval have not been met, the Board shall deny the application and procedures for appeal to the City Commission as provided in Sec. 47-26B, Appeals, shall apply.

Staff Determination:

Staff has determined that the application meets the criteria for allocation of commercial flex and rezoning to CB. Additionally, staff has determined that the site plan conforms to the applicable requirements of the ULDR for site plan approval.

Should the Board approve the proposed development, the following conditions are proposed by staff:

1. The proposed development is in an area that has the potential to generate impacts from construction debris due to high winds and close proximity to existing uses. As such, in order to ensure that construction debris remains on site and does not become a nuisance to neighboring properties, prior to application for a building permit, a Construction Debris Mitigation Plan shall be submitted to include but not be limited to the requirements of the Construction Debris Mitigation Policy as attached, and as approved by the City's Building Official.
2. All construction will require approval from all pertinent environmental review agencies.
3. Site plan approval shall be valid as provided in ULDR Section 47-24.1.M.
4. Final DRC approval.

City of Fort Lauderdale
Building Services Division Construction Debris Mitigation Policy

Section 24-11 Construction Sites, of the City of Fort Lauderdale Code of Ordinances is for the purpose of controlling construction debris. In accordance with the Code, any property under construction is required to contain construction debris on the subject property site. In an effort to ensure that construction debris does not spillover onto adjacent sites, the Building Services Division will require the following mitigation measures as minimum conditions to prevent the spillover of construction debris onto adjacent properties. These measures are to be included in a Construction Debris Mitigation Plan, which will be submitted to the Building Official, prior to the issuance of a building permit for the subject project. Additional measures may be required to ensure compliance with the Code, as deemed necessary by the Building Official.

1. Extermination of the site and buildings prior to demolition. A certificate certifying that the site has been exterminated is required to obtain a demolition permit.
2. Wet demolition of existing buildings is required to minimize dust.
3. Install and maintain a 6' screening (wind blown) on all ground level perimeter site fencing to minimize dust and debris blowing out to surrounding buildings.
4. Adherence to all state and county regulations with regards to the handling of asbestos in existing buildings.
5. Provide for construction employee parking and construction staging areas, to be reviewed and approved by the City's Engineering Department, and as necessary the City's Zoning and Parking Divisions.
6. The Building Division will require measures to minimize the airborne concrete when pouring. Such measures may include, but are not limited to, use of a wet saw when cutting concrete, wind screens around saws on concrete work deck; wind screens on end of concrete pump hose, etc.
7. The Building Division will require measures to minimize airborne debris from all open floors, including but not limited to, a requirement that each floor undergoing construction activity be wrapped to control the spillover of concrete and dust onto adjacent properties.
8. Sweeping compound will be required to minimize dust when sweeping the open floors of the building.
9. Broom cleaning of adjacent streets and sidewalks is required on a daily basis.
10. A hot line telephone number for the subject property is required to address issues as they arise.
11. On site visits by City Building Inspectors and other building officials will occur, as needed, to ensure that the concerns of adjacent property owners regarding construction debris and noise are being properly and timely addressed. The costs incurred for such inspections will be borne by the applicant